

In re application of: Robert Manuel Carmichael
Serial No. 09/730,116
Page 3

REMARKS

This Amendment is responsive to the Office Action dated December 1, 2004.

The priority claim has been specifically deleted from the Specification as required by the Examiner.

Applicant is enclosing a further Declaration of Robert Carmichael, along with Exhibits, which provides further support for the withdrawal of any citation to U.S. Patent No. 6,527,480 or U.S. Application Serial No. 09/628,836 against Applicant's pending claims. The additional Carmichael Declaration also addresses and overcomes the points (A), (B) and (C) stated by the Examiner under the Response to Arguments section of the Office Action.

The enclosed Declaration, and previous Declarations, clearly evidence that Applicant is the sole inventor of the unique subject matter claimed in the pending application and that Applicant did not derive the subject of the claimed invention from any other individual or third party.

Accordingly, Applicant respectfully traverses all rejections and respectfully requests that claims finally be allowed by the Examiner.

Claims 1-21 have not been amended and remain pending in the application. Applicant respectfully requests reconsideration of the Examiner's rejection. No listing of the claims is provided since the instant Amendment makes no changes to the claims and only amends the Specification as referenced above.

The enclosed Declaration clearly evidences that the System witnessed by Mr. Stella at the Halcyon January 2000 trade booth corresponds to the claims invention currently pending in the application. Applicant also incorporates by reference all of its

In re application of: Robert Manuel Carmichael
Serial No. 09/730,116
Page 4

previous arguments contained in Applicant's earlier filings with the Patent Office for this Application.

Applicant has completely responded to the Office Action dated December 1, 2004. Favorable action is respectfully requested.

Any additional charges, including Extensions of Time, please bill our Deposit Account No. 503180.

Respectfully submitted,



Daniel S. Polley, Reg. No. 34,902

DANIEL S. POLLEY, P.A.
1215 East Broward Boulevard
Fort Lauderdale, FL 33301
Ph: 954-234-2417
Fax: 954-234-2506

CUSTOMER NO. 44538

I:\1000\1010\Amendments\6817\4thAmend 12-1-04 OA)